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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,211	10/31/2001	Jeffrey L. Browning	A013 US CON	6970
959	7590	04/20/2006	EXAMINER	
LAHIVE & COCKFIELD 28 STATE STREET BOSTON, MA 02109			YAEN, CHRISTOPHER H	
			ART UNIT	PAPER NUMBER
			1643	

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/003211

Browning et al

EXAMINER

C. Yaen

ART UNIT

PAPER

1643

4132006

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The communication filed on 3/30/2006 is not fully responsive to the communication mailed 2/14/2006 for the reason(s) set forth on the attached Notice to Comply With Requirements For...Sequence Disclosures and/or CRF Diskette Problem Report.

Since the response appears to be bona fide, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR § 1.136(a) but not to extend beyond 6 months from the mailing of the initial notice to comply letter mailed 2/14/2006 (i.e. Ex parte Quayle).

Any inquiry concerning this communication should be directed to the examiner, Christopher Yaen Technology Center 1600, Group 1640, Art Unit 1643, whose telephone number is (571) 272-0838. The examiner can normally be reached on weekdays from 9 a.m. to 5 p.m. If unable to reach the examiner, Larry Helms, SPE, can be contacted at (571) 272-0832.

Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed at the bottom of the Notice To Comply.

Any inquiry of a general nature or relating to the status of this application, or requests to supply missing elements from Office communications, should be directed to the Group receptionist whose telephone number is (571) 272-1600.

*Christopher Yaen*  
CHRISTOPHER YAEN  
PATENT EXAMINER

Christopher Yaen, Examiner  
Art Unit 1643

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

Patent In Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

## **STIC Biotechnology Systems Branch**

### **RAW SEQUENCE LISTING** **ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/003,211A  
Source: IFW/b  
Date Processed by STIC: 4/4/06

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 4.4.0 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

**<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>**

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/10/06

## Raw Sequence Listing Error Summary

### ERROR DETECTED

### SUGGESTED CORRECTION

SERIAL NUMBER: 10/003,211A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1      Wrapped Nucleics  
    Wrapped Aminos     The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 ✓ Invalid Line Length     The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3      Misaligned Amino  
    Numbering     The numbering under each 5<sup>th</sup> amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4      Non-ASCII     The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5      Variable Length     Sequence(s)      contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6      PatentIn 2.0  
    "bug"     A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s)     . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7      Skipped Sequences  
    (OLD RULES)     Sequence(s)      missing. If intentional, please insert the following lines for each skipped sequence:  
                          (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
                          (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)  
                          (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
                          This sequence is intentionally skipped  
                          Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8      Skipped Sequences  
    (NEW RULES)     Sequence(s)      missing. If intentional, please insert the following lines for each skipped sequence.  
                          <210> sequence id number  
                          <400> sequence id number  
                          000
- 9      Use of n's or Xaa's  
    (NEW RULES)     Use of n's and/or Xaa's have been detected in the Sequence Listing.  
                          Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.  
                          In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10      Invalid <213>  
    Response     Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence. (see item 11 below)
- 11      Use of <220>     Sequence(s)      missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section or use "chemically synthesized" as explanation. (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32), also Sec. 1.823 of Sequence Rules
- 12      PatentIn 2.0  
    "bug"     Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13      Misuse of n/Xaa     "n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid



IFW16

## RAW SEQUENCE LISTING

DATE: 04/04/2006

PATENT APPLICATION: US/10/003,211A

TIME: 08:08:04

Input Set : A:\PTO.RJ.txt

Output Set: N:\CRF4\04042006\J003211A.raw

*see item 2 on  
Env  
summary  
sheet*

3 &lt;110&gt; APPLICANT: Browning, Jeffrey et al.

6 &lt;120&gt; TITLE OF INVENTION: Soluble Lymphotoxin Beta Receptor and Anti-Lymphotoxin Receptor and Ligand

7 Antibodies as Therapeutic Agents for the Treatment of Immunological Diseases

10 &lt;130&gt; FILE REFERENCE: BGN-A013CN

C--&gt; 12 &lt;140&gt; CURRENT APPLICATION NUMBER: US/10/003,211A

C--&gt; 13 &lt;141&gt; CURRENT FILING DATE: 2001-10-31

15 &lt;150&gt; PRIOR APPLICATION NUMBER: PCT/US97/19436

16 &lt;151&gt; PRIOR FILING DATE: 1997-10-24

18 &lt;150&gt; PRIOR APPLICATION NUMBER: 60/029,060

19 &lt;151&gt; PRIOR FILING DATE: 1996-10-25

21 &lt;160&gt; NUMBER OF SEQ ID NOS: 3

23 &lt;170&gt; SOFTWARE: FastSEQ for Windows Version 4.0

*pp 1, 3-6*

## ERRORLED SEQUENCES

**Does Not Comply  
Corrected Diskette Needed**

25 &lt;210&gt; SEQ ID NO: 1

26 &lt;211&gt; LENGTH: 197

27 &lt;212&gt; TYPE: PRT

28 &lt;213&gt; ORGANISM: Homo Sapien

30 &lt;400&gt; SEQUENCE: 1

31 Ser Gln Pro Gln Ala Val Pro Pro Tyr Ala Ser Glu Asn Gln Thr Cys

32 1 5 10 15

33 Arg Asp Gln Glu Lys Glu Tyr Tyr Glu Pro Gln His Arg Ile Cys Cys

34 20 25 30

35 Ser Arg Cys Pro Pro Gly Thr Tyr Val Ser Ala Lys Cys Ser Arg Ile

36 35 40 45

37 Arg Asp Thr Val Cys Ala Thr Cys Ala Glu Asn Ser Tyr Asn Glu His

38 50 55 60

39 Trp Asn Tyr Leu Thr Ile Cys Gln Leu Cys Arg Pro Cys Asp Pro Val

40 65 70 75 80

41 Met Gly Leu Glu Glu Ile Ala Pro Cys Thr Ser Lys Arg Lys Thr Gln

42 85 90 95

43 Cys Arg Cys Gln Pro Gly Met Phe Cys Ala Ala Trp Ala Leu Glu Cys

44 100 105 110

45 Thr His Cys Glu Leu Leu Ser Asp Cys Pro Pro Gly Thr Glu Ala Glu

46 115 120 125

47 Leu Lys Asp Glu Val Gly Lys Gly Asn Asn His Cys Val Pro Cys Lys

48 130 135 140

49 Ala Gly His Phe Gln Asn Thr Ser Ser Pro Ser Ala Arg Cys Gln Pro

50 145 150 155 160

51 His Thr Arg Cys Glu Asn Gln Gly Leu Val Glu Ala Ala Pro Gly Thr

*see  
p. 3*

52

165

170

175

## RAW SEQUENCE LISTING

DATE: 04/04/2006

PATENT APPLICATION: US/10/003,211A

TIME: 08:08:04

Input Set : A:\PTO.RJ.txt

Output Set: N:\CRF4\04042006\J003211A.raw

53	Ala	Gln	Ser	Asp	Thr	Thr	Cys	Lys	Asn	Pro	Leu	Glu	Pro	Leu	Pro	Pro
54				180					185					190		
E--> 55	Glu	Met	Ser	Gly	Thr											
56			195													

*invalid amino acid designator*



10/003,211A 4

SEQUENCE LISTING

<110> Browning, Jeffrey et al.

*replay with*  
↓  
<120> Soluble Lymphotoxin Beta Receptor and Anti-Lymphotoxin Receptor and Ligand Antibodies as Therapeutic Agents for the Treatment of Immunological Diseases

<130> BGN-A013CN

<1507> ~~<140>~~ 09/299,139

<1517> ~~<141>~~ 1999-04-23

These are prior data.

10/003,211A

5

<210> 2  
<211> 28  
<212> DNA  
<213> Artificial Sequence

<220>  
<223> Synthetic Construct

<400> 2  
AACTGCAGCG GCCGCCATGC GCCTGCCC 28

use lower-case letters for nucleotides

same error in sequence 3

6

RAW SEQUENCE LISTING ERROR SUMMARY  
PATENT APPLICATION: US/10/003,211A

DATE: 04/04/2006  
TIME: 08:08:05

FYI

Input Set : A:\PTO.RJ.txt  
Output Set: N:\CRF4\04042006\J003211A.raw

Invalid Line Length:

The rules require that a line not exceed 72 characters in length. This includes spaces.

Seq#:1; Line(s) 6

7

VERIFICATION SUMMARY

DATE: 04/04/2006

PATENT APPLICATION: US/10/003,211A

TIME: 08:08:05

Input Set : A:\PTO.RJ.txt

Output Set: N:\CRF4\04042006\J003211A.raw

L:12 M:270 C: Current Application Number differs, Replaced Current Application Number

L:13 M:271 C: Current Filing Date differs, Replaced Current Filing Date

L:55 M:333 E: Wrong sequence grouping, Amino acids not in groups!

L:55 M:330 E: (2) Invalid Amino Acid Designator, NUMBER OF INVALID KEYS:1

L:69 M:112 C: (48) String data converted to lower case,

L:80 M:112 C: (48) String data converted to lower case,